

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

CRST VAN EXPEDITED, INC., )  
                                  )  
                                  )  
Plaintiff,                    )  
                                  )  
-vs-                            )                           Case No. CIV-04-651-F  
                                  )  
                                  )  
J.B. HUNT TRANSPORT, INC., et al., )  
                                  )  
                                  )  
Defendants.                    )

**ORDER**

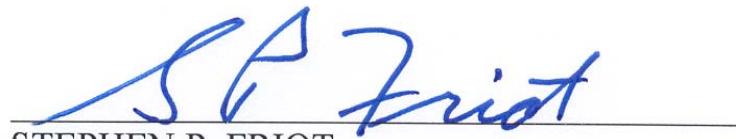
Before the court is Plaintiff's Combined Motion and Brief in Support Seeking Voluntary Dismissal of Claims Against Defendants Winston Coby, Robert Grant, Curtis Alsobrook and Daniel Shepherd, filed April 15, 2005 (docket entry no. 88). Pursuant to LCvR 7.2(e), any opposition to plaintiff's motion was due by May 3, 2005. To date, no party has filed an opposition to the motion. Therefore, pursuant to LCvR 7.2(e), the court, in its discretion, deems plaintiff's motion confessed. Upon review of the motion as confessed, the court finds the same should be granted.

Accordingly, Plaintiff's Combined Motion and Brief in Support Seeking Voluntary Dismissal of Claims Against Defendants Winston Coby, Robert Grant, Curtis Alsobrook and Daniel Shepherd, filed April 15, 2005 (docket entry no. 88), is **GRANTED**.

Plaintiff's claims against defendants, Winston Coby, Robert Grant, Curtis Alsobrook and Daniel Shepherd, are **DISMISSED WITHOUT PREJUDICE**, pursuant to Rule 41(a)(2), Fed. R. Civ. P., with each party to bear that party's own costs.

This action shall remain pending as between plaintiff and the remaining defendant, J.B. Hunt Transport, Inc.

DATED May 4, 2005.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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